

§Appl. No. 09/372,036
Amdt. dated August 17, 2004
Supplemental Reply to Office Action of, October 30, 2003

Listing of Claims:

Please **amend** the claims as follows:

Claims 1-38 (Cancelled)

Claim 39 (Previously Presented) An isolated peptide from the p60 protein of *Listeria monocytogenes*, selected from formulae (IVa) or (IVd)

X³ProValAlaProThrGlnX⁴ (IVa) (SEQ ID NO:17)

X³GlnGlnThrAlaProLysAlaProThrX⁴ (IVd) (SEQ ID NO:20)

wherein

X³ and X⁴ are each, independently, hydrogen or 1-7 additional amino acids.

Claim 40 (Currently Amended) A An isolated peptide of claim 39, selected from SEQ ID NOs: 26, 29, 30 or 31.

Claim 41 (Previously Presented) An immunogenic conjugate which comprises a peptide of claim 39.

Claim 42 (Previously Presented) An isolated antibody which specifically binds to an epitope selected from the group consisting of one of the following peptides: SEQ ID NO: 17, 20,

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26, 29, 30 and 31 of the p60 protein from *Listeria monocytogenes* and wherein said antibody does not react with p60 protein ~~an epitope~~ from other non-pathogenic *Listeria* species.

Claim 43 (Currently Amended) An isolated antibody which can be prepared by immunizing an experimental animal with a peptide selected from the group consisting of one of the following peptides: SEQ ID NO: 17, 20, 26, 29, 30 and 31, or with an immunogenic conjugate which comprises a peptide selected from the group consisting of one of the following peptides: SEQ ID NO: 17, 20, 26, 29, 30 and 31, wherein said antibody specifically binds to the p60 protein from *Listeria monocytogenes* and does not react with ~~an epitope~~ p60 protein from other non-pathogenic *Listeria* species.

Claim 44 (Currently Amended) A process for preparing an antibody which specifically binds to the p60 protein from pathogenic *Listeria monocytogenes* ~~*Listeria*~~, comprising
immunizing an experimental animal with an immunogen, wherein said immunogen is the peptide of SEQ ID NO: 17 or 20, or an immunogenic conjugate which comprises the peptide of SEQ ID NO: 17 or 20, and
isolating the ~~thus-produced~~ antibody which specifically binds to the p60 protein from pathogenic *Listeria monocytogenes*.

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Claim 45 (Previously Presented) A process of claim 44, wherein the immunogenic conjugate comprises the peptide, SEQ ID NO: 26, 29, 30 or 31.

Claim 46 (Currently Amended) A method of detecting pathogenic Listeria monocytogenes ~~listeria~~, comprising incubating a sample which may contain pathogenic Listeria monocytogenes ~~listeria~~ with an antibody of claim 42.

Claim 47 (Currently Amended) A method of detecting pathogenic Listeria monocytogenes ~~listeria~~, comprising incubating a sample which may contain pathogenic Listeria monocytogenes ~~listeria~~ with an antibody of claim 43.

Claim 48 (Currently Amended) A kit for detecting pathogenic Listeria monocytogenes ~~listeria~~ by immunoassay, comprising an antibody of claim 42.

Claim 49 (Currently Amended) A kit for detecting pathogenic Listeria monocytogenes ~~listeria~~ by immunoassay, comprising an antibody of claim 43.

Claim 50 (Currently Amended) An isolated antibody of claim 42, which binds to an epitope of a peptide of SEQ ID NO: 26.

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Claim 51 (Currently Amended) An isolated antibody of claim 42, which binds to an epitope of a peptide of SEQ ID NO: 29.

Claim 52 (Currently Amended) An isolated antibody of claim 42, which binds to an epitope of a peptide of SEQ ID NO: 30.

Claim 53 (Currently Amended) An isolated antibody of claim 42, which binds to an epitope of a peptide of SEQ ID NO: 31.

Claim 54 (Previously Presented) An isolated antibody of claim 43, wherein the peptide is SEQ ID NO: 17.

Claim 55 (Previously Presented) An isolated antibody of claim 43, wherein the peptide is SEQ ID NO: 26.

Claim 56 (Previously Presented) An isolated antibody of claim 43, wherein the peptide is SEQ ID NO: 29.

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- Claim 57 (Previously Presented)** An isolated antibody of claim 43, wherein the peptide is SEQ ID NO: 30.
- Claim 58 (Previously Presented)** An isolated antibody of claim 43, wherein the peptide is SEQ ID NO: 31.
- Claim 59 (Previously Presented)** The antibody of claim 42 which is a polyclonal antibody.
- Claim 60 (Previously Presented)** The antibody of claim 42 which is a monoclonal antibody.
- Claim 61 (Previously Presented)** The antibody of claim 43 which is a polyclonal antibody.
- Claim 62 (Previously Presented)** The antibody of claim 43 which is a monoclonal antibody.
- Claim 63 (Cancelled)**

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Claim 64 (Cancelled)

Claim 65 (Cancelled)

Claim 66 (Cancelled)

Claim 67 (Cancelled)

Claim 68 (Cancelled)

Claim 69 (Currently Amended) A composition comprising at least two monoclonal antibodies each of which binds to a ~~an epitope from a different said~~ peptide according to claim 42.

Claim 70 (Cancelled)

Claim 71 (Cancelled)

Claim 72 (Previously Presented) An isolated antibody of claim 43, wherein said animal is a sheep, goat, rabbit or mouse.